

ORIGINAL

BEFORE THE

Federal Communications Commission

WASHINGTON, D.C.

RECEIVED

In the Matter of

JUL 17 2001

Amendment of Section 73.606(b)
 Table of Allotments
 Analog Television Broadcast Stations
 (Vicksburg, Mississippi)

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MM Docket No. 00-____
 RM-____

FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

To: Chief, Video Services Division

REQUEST FOR DISMISSAL OF PETITION FOR RULE MAKING

Vicksburg Channel 35 Associates, LLC ("VCA"), applicant for a new NTSC facility on Channel 35, Vicksburg, Mississippi, hereby requests that the Commission dismiss VCA's pending Petition for Rule Making ("Petition") seeking to modify the NTSC Television Table of Allotments to substitute Channel 59 for Channel 35 at Vicksburg, Mississippi. On April 24, 2000, VCA filed a Petition for Rule Making to request that the Commission expeditiously initiate a rule making proceeding to substitute and allot NTSC Channel 59 for its proposed NTSC Channel 35 at Vicksburg, Mississippi. A Notice of Proposed Rule Making has not been issued in response to this Petition.

Recently, the Commission announced that it would not process Petitions for Rule Making, such as that filed by VCA, which specify operation on Channel 59.¹ Accordingly, VCA hereby voluntarily dismisses its pending Petition with the understanding that the Commission is currently processing VCA's amended application for a new NTSC television station on Channel

¹ See Reallocation and Service Rules for the 698-746 MHz Spectrum Band (Television Channels 52-59), Notice of Proposed Rule Making, FCC 01-91 (released March 28, 2001) at ¶ 24.

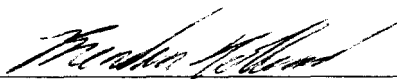
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35 at Vicksburg, Mississippi. Attached hereto, is a Declaration executed on behalf of VCA attesting to the fact that neither VCA, nor any other party has received or been promised, directly or indirectly, any consideration for the withdrawal of its Petition.

Accordingly, VCA respectfully requests that the Commission dismiss VCA's Petition for Rule Making filed in this matter.

Respectfully submitted,

VICKSBURG CHANNEL 35 ASSOCIATES, LLC

By: 
David D. Oxenford
Lauren Lynch Flick
Brendan Holland

Its Attorneys

SHAW PITTMAN LLP
2300 N Street, NW
Washington, D.C. 20037
(202) 663-8000

Dated: July 17, 2001

DECLARATION

I, Guyon W. Turner, hereby state:

1. I am President of KB Prime Media LLC, member of Vicksburg Channel 35 Associates, LLC ("VCA"), the applicant for a new NTSC television facility on Channel 35, Vicksburg, Mississippi, (FIN-84253). See FCC File No. BPCT-19961001LB. On April 24, 2000, VCA filed a Petition for Rule Making ("Petition") to request that the Commission initiate a rule making proceeding to substitute and allot NTSC Channel 59 for its proposed NTSC Channel 35 at Vicksburg, Mississippi. VCA hereby voluntarily dismisses its pending Petition with the understanding that the Commission is processing VCA's amended application for a new NTSC television station on Channel 35 at Vicksburg, Mississippi.
2. Neither VCA, nor any other party has received or been promised, directly or indirectly, any consideration for the withdrawal of its Petition for Rule Making.
3. Withdrawal of VCA's Petition will serve the public interest, as it will result in the expeditious initiation of new broadcast television service to the Vicksburg, Mississippi community.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 16 day of July 2001.



Guyon W. Turner

CERTIFICATE OF SERVICE

I, Rhea Lytle, a secretary in the law firm of Shaw Pittman, hereby certify that on this 17th day of July, 2001, caused to be served by first class United States mail, postage prepaid, a copy of the foregoing **"Request for Dismissal of Petition for Rule Making"** on the following:

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Rhea Lytle

*Via Hand Delivery